

[~114H2666\_\_EH]

.....  
(Original Signature of Member)

116TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To prohibit the Federal Communications Commission from regulating the  
rates charged for broadband internet access service.

\_\_\_\_\_  
IN THE HOUSE OF REPRESENTATIVES

Mr. KINZINGER introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To prohibit the Federal Communications Commission from  
regulating the rates charged for broadband internet ac-  
cess service.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “No Rate Regulation  
5       of Broadband Internet Access Act”.

1 **SEC. 2. REGULATION OF BROADBAND RATES PROHIBITED.**

2 Notwithstanding any other provision of law, the Fed-  
3 eral Communications Commission may not regulate the  
4 rates charged for broadband internet access service.

5 **SEC. 3. EXCEPTIONS.**

6 Nothing in this Act shall be construed to affect the  
7 authority of the Commission to—

8 (1) condition receipt of universal service sup-  
9 port under section 254 of the Communications Act  
10 of 1934 (47 U.S.C. 254) by a provider of broadband  
11 internet access service on the regulation of the rates  
12 charged by such provider for the supported service;

13 (2) enforce subpart Y of part 64 of title 47,  
14 Code of Federal Regulations (relating to truth-in-  
15 billing requirements); or

16 (3) prohibit or restrict paid prioritization.

17 **SEC. 4. ADDITIONAL RULE OF CONSTRUCTION.**

18 For purposes of this Act, broadband internet access  
19 service shall not be construed to include data roaming or  
20 interconnection.

21 **SEC. 5. DEFINITIONS.**

22 In this Act:

23 (1) **BROADBAND INTERNET ACCESS SERVICE.**—

24 The term “broadband internet access service” has  
25 the meaning given such term in section 8.1 of title  
26 47, Code of Federal Regulations.

1           (2) COMMISSION.—The term “Commission”  
2 means the Federal Communications Commission.

3           (3) PAID PRIORITIZATION.—The term “paid  
4 prioritization” means the management of the net-  
5 work of a provider of broadband internet access  
6 service to directly or indirectly favor some traffic  
7 over other traffic, including through use of tech-  
8 niques such as traffic shaping, prioritization, re-  
9 source reservation, or other forms of preferential  
10 traffic management, either—

11                   (A) in exchange for consideration (mone-  
12 tary or otherwise) from a third party; or

13                   (B) to benefit an affiliated entity.

14           (4) RATE.—The term “rate” means the amount  
15 charged by a provider of broadband internet access  
16 service for the delivery of broadband internet traffic.

17           (5) REGULATION.—The term “regulation” or  
18 “regulate” means, with respect to a rate, the use by  
19 the Commission of rulemaking or enforcement au-  
20 thority to establish, declare, or review the reason-  
21 ableness of such rate.